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IT IS SO ORDERED.

Dated: December 15, 2021



Beth A. Buchanan

Beth A. Buchanan
United States Bankruptcy Judge

**UNITED STATES BANKRUPTCY COURT
SOUTHERN DISTRICT OF OHIO
WESTERN DIVISION**

In re:

**Tina A Bayne AKA Tina A. Bates-
Bayne**

Debtor(s).

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Case No.: 21-12000

Chapter 13

Judge Beth A. Buchanan

AGREED ORDER TO SETTLE OBJECTION TO CONFIRMATION OF PLAN
(DOCKET # 18)

This matter having come before the Court on the Objection to Confirmation of Plan which was filed in this court by U.S. Bank National Association, not in its individual capacity but solely as trustee for the RMAC Trust, Series 2016-CTT ("Creditor"), by and through its mortgage servicing agent Rushmore Loan Management Services, LLC, and it appearing to the

Court that the parties have agreed to a course of action for the protection of Creditor; and the Court, being otherwise fully advised in the premises and issues the following Order with respect thereto:

1. The pre-petition arrearage claim of Creditor shall be held in abeyance and not be paid from the Chapter 13 estate unless the plan is amended or modified to provide for payment.
2. Limited relief from the automatic stay imposed by 11 U.S.C. §362(a) of the Bankruptcy Code is hereby granted in favor of Creditor for the sole purpose of negotiating a loan modification agreement with Debtor. Debtor shall continue to make payments to the Trustee for the ongoing monthly mortgage payments until such time as the loan modification is approved with written notice of new or trial monthly payment amounts.
3. Debtor may apply for a loan modification with regard to the Property located at 424 Appaloosa Court, Cincinnati, Ohio, 45231 within (30) thirty days of the date of the entry of this Agreed Order. Should Debtor qualify for a loan modification, Debtor must obtain approval of the loan modification's terms through a motion to approve permanent loan modification, which shall be accompanied by a Motion to Modify Debtor's confirmed Plan if necessary.
4. Debtor's counsel shall file a Status report with the Court upon either approval or denial of the Loan Modification Application.
5. If Debtor's loan modification is DENIED, and this Court and Counsel of Debtor have been so notified by written Status Report, then Trustee will not resume payments to Creditor on its mortgage arrearage claim until or unless Debtor has

filed a Motion to Modify Plan to accommodate the resumption of payment on Creditor's mortgage arrearage claim directing Trustee to resume payments on such mortgage arrears. Said Motion to Modify Plan shall be filed by Debtor within fourteen (14) days of the filing of such status report denying the loan modification.

6. Debtor's loan modification is APPROVED and this Court and Counsel of Debtor have been so notified by written Status Report, then Debtor's Plan shall be deemed granted and the terms and conditions as outlined shall be hereby approved and Trustee will make no further disbursements on Creditor's arrearage claim.
7. Confirmation of the Plan shall have no res judicata effect with respect to the amount of the pre-petition arrearage claim of Creditor under 11 U.S.C. § 1327 or other applicable bankruptcy and/or non-bankruptcy law.
8. Creditor's Objection to Confirmation is hereby withdrawn.

SO ORDERED.

SUBMITTED BY:

/s/ Adam B. Hall

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Copies to: Default list plus additional parties

Bijan Bayne, 424 Appaloosa Court, Cincinnati, OH 45231 (notified by regular US Mail)

Hamilton County Treasurer, County Administration Building, 138 East Court Street,
Cincinnati, OH 45202 (notified by regular US Mail)